

AMENDMENT AFTER FINAL
S/N 10/757,829
GROUP ART 3729

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REMARKS

Favorable reconsideration is requested in view of the following remarks. Claim 13 is amended editorially. Claims 14-16 and 18 are canceled. Claims 19 and 20 are supported in the originally filed specification at page 13, line 26 through page 14, line 3, and page 20, lines 12-15, respectively. Claims 13, 17-20 are pending in the application.

Claim 18 is rejected under 35 U.S.C. 112, first and second paragraphs. These issues are rendered moot by the cancellation of claim 18. The Examiner indicated that claim 18 would be allowable if rewritten to overcome the rejections under 35 U.S.C. 112. The feature of claim 18 is reflected in independent claim 13, as clarified by the editorial revision of claim 13.

Claims 13 and 17 are rejected under 35 USC 102(b) as being anticipated by Tone et al. (US 4,523,122). Claim 13 requires filling voids of a porous member with a fluid filling material to form a first layer, and forming a second layer with surplus material of the fluid filling layer on the surface of the first layer.

Tone et al. fail to disclose or even suggest the method of claim 13 and in particular, the claimed element of "filling a fluid filling material into the voids ... to create a first layer"; nor does Tone et al. teach or even suggest the claimed step of "providing a surplus fluid filling material on a surface of the porous member to create the second layer." Tone et al. teach making an acoustic impedance-matching layer of a resin material having microspheres or microballons dispersed throughout. When heated, the low boiling hydrocarbon within the microspheres expands and, as a result, the density of the resin material decreases. Thus, Tone et al. do not fill voids with a fluid; Tone et al. simply has no voids but rather expansive microspheres. Even if the microspheres are considered to qualify as voids, there is no step of filling the voids to create the first layer. In addition, Tone et al. does not continue to create a second layer with the same fluid filling material administered onto the surface of the porous material.

Tone et al. further teaches against the advantages obtained by Applicants' claimed invention in that Tone et al. bonds two dissimilar layers together to create the acoustic transducer. Applicants, in the originally filed specification on page 6, lines 10-29, specifically discuss the disadvantages of bonding two acoustically dissimilar layers together. Thus, the invention of claim 13 represents a significant improvement over Tone et al. Claims 17, 19 and

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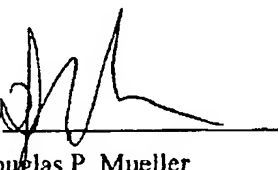
20 depend from claim 13 and are patentable along with claim 13 and need not be separately distinguished at this time.

Applicants respectfully request the Examiner to enter the amendments because no new issues are raised by the revision of claim 13. Claims 17, 19-20 are dependent on claim 13 and further define limitations of allowable claim 13. Reconsideration and withdrawal of the rejections and allowance of this application are respectfully requested. Any questions regarding this communication can be directed to the undersigned attorney, Douglas P. Mueller, Reg. No. 30,300 at (612) 455-3804.

Respectfully Submitted,

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